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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/982,204	10/18/2001	Michael J. Witbrock	10984-533001	7198
26161	7590	08/27/2004	EXAMINER	
FISH & RICHARDSON PC 225 FRANKLIN ST BOSTON, MA 02110			ALI, MOHAMMAD	
			ART UNIT	PAPER NUMBER
			2177	

DATE MAILED: 08/27/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/982,204	Applicant(s) WITBROCK, MICHAEL J.	
	Examiner Mohammad Ali	Art Unit 2177	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 18 October 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-22 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) * | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>10-18-01</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This communication is in response to the application filed on October 18, 2001.

The application has been examined. Claims 1-22 are pending in this Office Action.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gary Culliss ('Culliss' hereinafter), USP 6,006,222 in view of Ilia Kaufman ('Kaufman' hereinafter), USP 6,240,408.

With respect to claim 1,

Culliss discloses a method for producing a results list for a search query (see col. 3, lines 3-6), the method comprising:

producing a first results list of entries from a search algorithm (see col. 3, lines 1-6, Culliss), the first results list corresponding to a term in the search query, the first results list being ordered according to relevance rankings (see col. 13, lines 28-30, Culliss);

modifying a feature of the first results lists by an editor (see col. 16, lines 15-20, Culliss), the modification being made according to an editorial rule (see col. 14, lines 33-38, Culliss);

determining a reliability score for the editor, the reliability score being based upon the modification made the editor (see col. 14, lines 33-38, Culliss);

combining the modification made by the editor in a combined search index (see col. 14, lines 35-41, Culliss), the combined modification being included in the combined search index according to the determined reliability of the editor (see col. 13, lines 29-34, Culliss); and

using the combined search index to produce a second results list which corresponds to the term in the search query (see col. 13, lines 29-34, Fig. 1, Culliss).

Culliss does not explicitly indicate the claimed "reliability editor".

Kaufman discloses claimed reliability editor (large number of documents selected to be reference materials of high reliability and documents suitable for inclusion in the authoritative database include encyclopedias, almanacs, dictionaries and other reference materials by reputable publishers and subject to professional editorial review, see col. 4, lines 17-22, Kaufman).

It would have been obvious to one ordinary skill in the data processing art, at the time of the present invention to combine the teachings of the cited references because the reliability editor of Kaufman's teachings would have allowed Culliss's system for the search results from the controlled database to assess the relevance of documents retrieved from the public database, as

suggested by Kaufmna in col. 2, lines 30-32. Reliability editor as taught by Kaufman improves to assess query on the basis of the frequency with which the query word occurs in a database of candidate documents (see col. 2, lines 45-46, Kaufman).

As to claim 2,

Culliss teaches wherein producing a first results list includes producing a first results list that corresponds to at least one search term (see col. 13, lines 55-58, Culliss).

As to claim 3,

Culliss teaches wherein modifying a feature according to an editorial rule includes modifying any feature of the first results list (see col. 13, lines 59-54, Culliss).

As to claim 4,

Culliss teaches wherein modifying a feature according to an editorial rule includes modifying an allowed changeable feature, the allowed changeable feature being one or more of relevance ranking, entry addition, entry deletion and document summary (see col. 14, lines 1-4 et seq, Culliss).

As to claim 5,

Culliss teaches wherein modifying a feature includes modifying a feature within a pre-defined range or percentage (see col. 13, lines 38-40, Culliss).

As to claim 6,

Culliss teaches wherein modifying an allowed changeable feature comprises modifying a feature within a pre-defined range or percentage (see col. 13, lines 47-49, Culliss).

As to claim 7,

Culliss teaches wherein determining a reliability score further comprises: comparing a ranking change for an entry by a first editor to a median ranking change for the entry by a second editor (see col. 14, lines 34-38, Culliss).

As to claim 8,

Culliss teaches wherein determining a reliability score further comprises: comparing a summary change for an entry to a previous summary contained in the first results list (see col. 3, lines 1-7, Culliss).

As to claim 9,

Culliss teaches wherein determining a reliability score further comprises: determining a difference in a number or a percentage of click-throughs which result from the editor modification (see col. 14, lines 32-38, Culliss).

As to claim 10,

Culliss teaches wherein combining the modification made by the editor further comprises: multiplying the reliability score by the feature modification (see col. 5, lines 6-7, and col. 4, lines 42-47, Culliss).

As to claim 11,

Culliss teaches wherein using the combined results to produce a second results list includes using the combined search index by a search engine (see col. 4, lines 53-57, Culliss).

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As to claim 12,

Culliss teaches wherein said method is performed at least twice (see col. 4, lines 66 to col. 5, lines 5, Culliss).

Claim 13 has the same subject matter as of claim 1 except “detecting a difference between the feature contained in the first results list and the corresponding modified feature contained in the combined search index; and determining a rule that corresponds to the detected difference or similarity” and Culliss teaches at col. 4, lines 66 to col. 5, lines 5; col. 5, lines 5-15 respectively and essentially rejected for the same reasons as of claim 1 as discussed above.

Culliss does not explicitly indicate the claimed “reliability editor”.

Kaufman discloses claimed reliability editor (large number of documents selected to be reference materials of high reliability and documents suitable for inclusion in the authoritative database include encyclopedias, almanacs, dictionaries and other reference materials by reputable publishers and subject to professional editorial review, see col. 4, lines 17-22, Kaufman).

It would have been obvious to one ordinary skill in the data processing art, at the time of the present invention to combine the teachings of the cited references because the reliability editor of Kaufman’s teachings would have allowed Culliss’s system for the search results from the controlled database to assess the relevance of documents retrieved from the public database, as suggested by Kaufmna in col. 2, lines 30-32. Reliability editor as taught by Kaufman improves to assess query on the basis of the frequency with which the

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query word occurs in a database of candidate documents (see col. 2, lines 45-46, Kaufman).

As to claim 14,

Culliss teaches producing a second results list from the search algorithm, the second results list corresponding to the term in the first search query (see col. 4, lines 66 to col. 5, lines 5 et seq, Culliss);

modifying the second results lists by applying the rule to a feature contained in the second results list (see col. 5, lines 5-15 et seq, Culliss).

As to claim 15,

Culliss teaches wherein detecting a difference further comprises: detecting a change to a relevance ranking feature (see col. 5, lines 5-15 et seq, Culliss).

As to claim 16,

Culliss teaches wherein detecting a difference further comprises: detecting an added feature (see col. 5, lines 5-15 et seq, Culliss).

As to claim 17,

Culliss teaches wherein detecting a difference further comprises: detecting a deleted feature (see col. 5, lines 5-15 et seq, Culliss).

As to claim 18,

Culliss teaches wherein detecting a difference further comprises: detecting a change to a document summary feature (see col. 5, lines 5-15 et seq, Culliss).

Claim 19 has the same subject matter as of claim 1 except "a computer program product residing on a computer readable medium having a plurality of instructions stored thereon which, when executed by the processor, cause that

processor” and Culliss teaches at col. 3, lines 45-51 and essentially rejected for the same reasons as of claim 1 as discussed above.

Culliss does not explicitly indicate the claimed “reliability editor”.

Kaufman discloses claimed reliability editor (large number of documents selected to be reference materials of high reliability and documents suitable for inclusion in the authoritative database include encyclopedias, almanacs, dictionaries and other reference materials by reputable publishers and subject to professional editorial review, see col. 4, lines 17-22, Kaufman).

It would have been obvious to one ordinary skill in the data processing art, at the time of the present invention to combine the teachings of the cited references because the reliability editor of Kaufman’s teachings would have allowed Culliss’s system for the search results from the controlled database to assess the relevance of documents retrieved from the public database, as suggested by Kaufmna in col. 2, lines 30-32. Reliability editor as taught by Kaufman improves to assess query on the basis of the frequency with which the query word occurs in a database of candidate documents (see col. 2, lines 45-46, Kaufman).

As to claim 20,

Culliss teaches wherein the instructions causing a computer to modify a feature of the first lists according to an editorial rule further comprise instructions causing a computer to: modify a feature according to an editorial rule (see col. 14, lines 33-37 et seq, Culliss).

As to claim 21,

Culliss teaches wherein the instruction causing a computer to modify a feature according to an editorial rule further comprise instructions causing a computer to: modify an allowed changeable feature, the allowed changeable feature being one or more of relevance ranking, entry addition, entry deletion and document summary (see col. 14, lines 1-4 et seq, Culliss).

As to claim 22,

Culliss teaches wherein the instructions causing a computer to determine a reliability score for the editorial modification further comprise instructions causing a computer to: compare a ranking change for an entry by a first editor to a median ranking change for the entry by a second editor (see col. 14, lines 32-37, Fig.1 et seq, Culliss).

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Contact Information

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mohammad Ali whose telephone number is (703) 605-4356. The examiner can normally be reached on Monday to Thursday from 7:30am-6:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Breene can be reached on (703) 305-9790 or Customer Service (703) 306-5631. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306 for any communications. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-9600.



Mohammad Ali

Patent Examiner

AU 2177

MA

August 26, 2004